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IT IS SO ORDERED.

Dated: November 16, 2022




Guy R. Humphrey
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

<i>In re:</i>	:	Chapter 11
	:	
HOPEDALE MINING LLC, et al., ¹	:	Case No. 20-12043
	:	(Jointly Administered)
<i>Debtor.</i>	:	
	:	Honorable Guy R. Humphrey
Liquidating Trustee of the Hopedale	:	
Creditors Trust of Hopedale Mining, LLC,	:	
	:	
<i>Plaintiff,</i>	:	
	:	Adv. No. 22-1072
v.	:	
	:	
Weston Energy, LLC,	:	
	:	
<i>Defendant.</i>	:	

**ORDER ESTABLISHING DISCOVERY CUT-OFF DATES AND DATE FOR FILING
DISPOSITIVE MOTIONS, SCHEDULING STATUE CONFERENCE,
AND ORDERING OTHER MATTERS (DOC. 1)**

¹ The Debtors in these Chapter 11 cases are (with the last four digits of their federal tax identification numbers in parentheses): Rhino GP LLC (8619), Rhino Resource Partners LP (7517), Rhino Energy LLC (6320), Rhino Trucking LLC (8773), Rhino Exploration LLC (8863), Triad Roof Support Systems LLC (1183), Springdale Land LLC (9816), McClane Canyon Mining LLC (3783), Rhino Northern Holdings LLC (1858), CAM-Ohio Real Estate LLC (1859), CAM-Colorado LLC (4269), Taylorville Mining LLC (5106), CAM Coal Trading LLC (4143), Castle Valley Mining LLC (9495), Jewell Valley Mining LLC (0270), Rhino Services LLC (3356), Rhino Oilfield Services LLC (8938), Rhino Technologies LLC (0994), CAM Mining LLC (2498), Rhino Coalfield Services LLC (3924), Hopedale Mining LLC (9060), CAM-Kentucky Real Estate LLC (9089), CAM-BB LLC (9097), Leesville Land LLC (7794), CAM Aircraft LLC (5467), Pennyrite Energy LLC (6095), Rhino Eastern LLC (1457), Rockhouse Land LLC (7702).

Pursuant to a prior Order (doc. 10), the court conducted a pretrial conference on November 16, 2022, participated in by Travis Kent Barber and Elizabeth L. Janczak, counsel for the Plaintiff, and David A. Felice and Manuel Cardona, counsel for the Defendant.

In accordance with the pretrial conference and based upon the court's colloquy with counsel, **IT IS ORDERED:**

Amended Pleadings

Any motion for leave to amend a pleading shall be filed in accordance with Federal Rule of Civil Procedure 15(a)(2) (applicable by Federal Rule of Bankruptcy Procedure 7015).

Discovery

All discovery must be completed by the discovery cut-off dates. For example, interrogatories or requests for admissions must be served in sufficient time to permit responses to be served by the cut-off date and depositions are to be completed by that date. Untimely discovery requests are subject to objection on that basis; however, counsel are ordered to cooperate with each other in all discovery matters.

The following is a listing of discovery cut-off dates:

- **June 30, 2023** — **Cut-off date for all fact discovery**
- **July 28, 2023** — **Cut-off date for all supplemental disclosures**
- **September 1, 2023** — **Counsel for the Plaintiff shall file with the court and exchange with other counsel all experts' reports**
- **October 20, 2023** — **Counsel for the Defendant shall file with the court and exchange with other counsel all experts' reports**
- **December 15, 2023** — **Cut-off date for completion of all expert depositions**

Completion of discovery does not relieve any party of its continuing obligations of disclosure under Fed. R. Bankr. P. 7026 incorporating Fed. R. Civ. P. 26(e).

Dispositive Motions

Any party wishing to file a motion for summary judgment, or any other dispositive motion, shall do so **not later than January 12, 2024**, along with any supporting affidavits or other supporting materials pursuant to F.R.C.P. 56 made applicable to this proceeding pursuant to Bankruptcy Rule 7056. Any response to any dispositive motion and any reply shall be filed in accordance with Local Bankruptcy Rule 9013-1.

In the event that a dispositive motion is filed, the court will withhold scheduling of any other matters in this adversary proceeding until the disposition of any such motion.

Status Conference

The court shall hold a further conference on **May 18, 2023 at 10:30 a.m. (Eastern Time)**. The court will utilize CourtSolutions for conducting the status conference by phone. See *Complex Chapter 11 Procedures – Telephonic Hearings in Complex Chapter 11 Cases* on Judge Humphrey’s webpage for information regarding registering with CourtSolutions: <https://www.ohsb.uscourts.gov/judge-humphrey-complex-chapter-11-procedures>.

Mediation

To the extent the parties determine mediation is appropriate, the parties shall file a *Request for Mediation* in accordance with the court’s newly implemented Mediation Program. For further information regarding mediation procedures see the court’s website at <https://www.ohsb.uscourts.gov/mediation-program>.

IT IS SO ORDERED.

Copies to:

Counsel for the Plaintiff
Counsel for the Defendant